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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--------------------------------|-------------|----------------------|---------------------|------------------|
| 10/543,020 | 03/29/2006 | Aloys Wobben | 205-A.016 | 3940 |
| 37362 | 7590 | 01/23/2008 | EXAMINER | |
| NEIL STEINBERG | | | GONZALEZ, JULIO C | |
| 2300 M STREET, N.W., Suite 800 | | | ART UNIT | |
| WASHINGTON, DC 20037 | | | PAPER NUMBER | |
| | | | 2834 | |
| | | | MAIL DATE | |
| | | | DELIVERY MODE | |
| | | | 01/23/2008 | |
| | | | PAPER | |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|-------------------------------|-------------------------------|--|
| Office Action Summary | Application No. 10/543,020 | Applicant(s) WOBBEN, ALOYS | |
| | Examiner Julio C. Gonzalez | Art Unit 2834 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 December 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-17,30,32-35,37-41 and 43-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 40,41 and 47 is/are allowed.
- 6) ☒ Claim(s) 10-17,34,35,37,38 and 43-46 is/are rejected.
- 7) ☒ Claim(s) 30,32,33 and 39 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 10, 11, 13, 14, 15, 17, 37, 38, 43, 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wobben (WO 01/06121) in view of Kuhn et al (US 4,017,698).

Wobben discloses a wind power installation having a foundation, a pylon 1, a generator 3 (see abstract), a power module having a transformer 8 and rectifiers 9 and the container 18 having a wall disposed between the power module and the pylon (see figure 6). It is further disclosed an air cooling duct 12, 13 is within the pylon (see figure 3) and such cooling duct 12, 13 is inherently in a thermal contact with a wall of the pylon (see figure 4). Also, a fan 10 is used. It is further disclosed in the embodiment shown in figure 6 that the power module can hold a transformer and rectifiers, which are converters (see figure 6, page 6 of PCT

document WO 01/06121 & US equivalent document 6,676,122 for English explanation, column 5, lines 21 - 24).

Wobben discloses all of the elements above. However, Wobben does not disclose that the container is a watertight container.

On the other hand, Kuhn et al discloses for the purpose of providing a safe and reliable power network that a container 12 encloses transformer 78 and controllers 52 and that the container has a water-tight door 44 (see figures 1, 1A; column 4, lines 16-22).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to design a wind power installation as disclosed by Wobben and to provide a water-tight container for the purpose of providing a safe and reliable power network as disclosed by Kuhn et al.

3. Claims 12, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wobben and Kuhn et al as applied to claim 10 above, and further in view of the Document A Feasibility Study on Offshore Wind Turbine System.

The combined wind power installation discloses all of the elements above. However, the combined wind power installation does not disclose explicitly that

inside a wind tower, there is enough space for a working crew to perform various activities.

On the other hand, the Document A Feasibility Study on Offshore Wind Turbine System discloses for the purpose of providing a reliable and cost effective offshore system that it is well known in the art to provide wind towers with enough space for crew members to perform different/various activities since it is disclose that routine maintenance work is to be perform (see page 7, under Operation, maintenance and repair requirements subtitle). Moreover, it is discloses that elevators, ladder and cables can be inside the wind tower (see figure 2, 3 and paragraph under subtitle Steel Tower).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to design the combined wind power installation as disclosed above and to modify the invention by disclosing that it is known to have ample space inside wind tower for various activities for the purpose of providing a reliable and cost effective offshore system as taught by the Document A Feasibility Study on Offshore Wind Turbine System.

4. Claims 34, 35, 44, 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wobben and Kuhn et al as applied to claim 10 above, and further in view of Lesser (US 3,912,937)

The combined wind power installation discloses all of the elements above. However, the combined wind power installation does not disclose having a moisture sensor.

On the other hand, Lesser discloses for the purpose of protecting a turbine generator that a moisture sensor 42 can be used.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to design the combined wind power installation as disclosed above and to modify the invention by having a moisture sensor for the purpose of protecting a turbine generator as disclosed by Lesser.

Response to Arguments

5. Applicant's arguments filed 12/07/07 have been fully considered but they are moot in view of new prior art rejection.

Allowable Subject Matter

6. Claims 30, 32, 33, 39 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. Claims 40, 41, 47 are allowed.

8. The indicated allowability of claims 10, 43 is withdrawn in view of the reference(s) to WO 01/06121. Rejections based on the cited reference(s) is described above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julio C. Gonzalez whose telephone number is 571-272-2024. The examiner can normally be reached on M-F (8AM-5PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on 571-272-2044.

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The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jcg

January 16, 2008



JULIO GONZALEZ
PRIMARY EXAMINER